

From: maxkarlin9@gmail.com
To: [Waage, Melissa](#)
Subject: 072814 Clean Water Protection Rule Media Report - 35 items including McCarthy's outreach to farmers, history of CWA struggles ...
Date: Monday, July 28, 2014 10:25:54 AM
Attachments: [image011.png](#)
[image002.png](#)



July 28, 2014

News Coverage

EPA Chief Won't Ditch the Waters Rule, But She Is Digging for Answers, National Journal, 07/27/14.

EPA Administrator Gina McCarthy, who is under fire in rural America for a "Waters of the United States" rule that EPA and the Army Corps of Engineers proposed in April, has been making the effort, with a trip to Missouri early in July and a meeting last week with Republicans on the Senate Agriculture Committee who have been asking for a sit-down since May. The outreach hasn't stopped the criticism, but McCarthy told me in an interview Thursday that she feels the effort has been worth it. McCarthy said the trip to Missouri was "a signal that this rule is very important to EPA." On Capitol Hill she said she learned that "EPA speaks with a lot of technical language and science. It is not readily translated into what is clear on the ground for the farm community."

Under Water: The EPA's Struggle to Combat Pollution, ProPublica, 07/24/14. For years, the U.S.

Environmental Protection Agency has been frustrated in its efforts to pursue hundreds of cases of water pollution — repeatedly tied up in legal fights about exactly what bodies of water it has the authority to monitor and protect. Efforts in Congress to clarify the EPA's powers have been defeated. And two Supreme Court decisions have done little to decide the question. Most recently, in April, the EPA itself declared what waters were subject to its oversight — developing a joint rule with the U.S. Army Corps of Engineers that sought to end the debate and empower the EPA to press hundreds of enforcement actions against alleged polluters across the country. The new rule, for instance, explicitly defines several terms — tributary, floodplain and wetland — and makes clear that those waters are subject to its authority.

EPA meets with critics, seems determined to expand Clean Water Act, Nebraska Radio Network, 07/27/14. The EPA is considering the removal of the word "navigable" from the Clean Water Act, a word that restricts the EPA's regulatory power to bodies of water that support watercraft. Agricultural groups worry removal would allow the regulatory arm of the EPA to reach into agricultural operations, with the potential to impose federal regulations on ponds, creeks, streams, even ditches which run only after heavy rains.

Top Agribusiness Food Companies Dumping Waste in our Waters, Nation of Change, 07/27/14.

Companies like Tyson Foods, Cargill, Inc., and Perdue Farms Inc. dump their garbage—more than 206 million pounds of it—into our water almost every year and leave others to worry about the clean-up. Now, as the Environmental Protection Agency considers a rule to restore the Clean Water Act, these companies are pulling out all the stops to maintain their freedom to dump and pollute, regardless of the toxic outcomes.

Proposed EPA water rule worries farm, business groups, The (Cumberland County, PA), 07/25/14.

The rule would likely not regulate many, if any, Cumberland County waterways, but Leonard said it would give Cumberland County the benefit of cleaner water. "I think the main concern is keeping those little headwaters clean, which, when they flow downhill, the larger streams are clean. If those get polluted, we don't take care of them, there's even more pollution downstream," he said. Bob Wendelgass, president and CEO of Clean Water Action, agreed in a press release. "These small streams are critical to the health

of drinking water sources for nearly one third of all Americans. The rule proposed today is clear, concise, and well supported by both the law and science," Wendelgass wrote. "This proposal, when finalized, will go a long way toward restoring protections and reflecting the way that water works in the real world."

LENRD Says Clean Water Act Revisions Hurt Agriculture, KNEN-FM (Norfolk, NE), 07/25/14. At their monthly board of directors meeting Thursday evening, LENRD General Manager Stan Staab informed the directors of the Environmental Protection Agencies recommended changes to the Clean Water Act. Staab says the Clean Water Act was first enacted in the 1970's to help clean up the polluted surface water from corporations and some agriculture interests. However Staab says he is concerned of the overreach of the Army Corp of Engineers and EPA when it comes to agriculture.

Sen. Johanns: With Obama Term Running Out, Expect 'A Blizzard of Regulations.' CNS News, 07/25/14. Johanns said he and other Republicans on the Senate Agriculture Committee met with McCarthy this week to express their frustration with EPA's regulatory agenda -- particularly a proposed rule that would define what the agency can regulate under the Clean Water Act.

Johanns confronts EPA, Platte River (NE) Radio, 07/25/14. Senator Johanns joined other Republican senators in confronting EPA Administrator Gina McCarthy, arguing against expansion of the Clean Water Act which could lead to the regulation of ponds and streams on farms.

Ag senators expressed concerns to McCarthy, Brownfield Ag News, 07/25/14. "She was polite and she listened to us, but at the end of the day I'm not certain that we moved the ball down the field at all," Johanns says. "She's determined to regulate. I think she believes she has the power to do that and she's going to do it." Johanns suggested to McCarthy that she scrap the rule and start over. But he doubts that will happen.

Arkansas Congressman and Former Farm Broadcaster, AgWired, 07/26/14. Crawford also discussed his concerns with the Environmental Protection Agency's proposed Waters of the United States (WOTUS) rule, particularly its ambiguity. "The 'significant nexus' being utilized as their determining factor of whether a body of water is going to be regulated," said Crawford, noting that is a subjective determination and it's not clear who will make that determination.

Departing Perciasepe to be in congressional hot seat one last time, E&E News, (see below), 07/28/14. Questioning from lawmakers is likely to focus on a recent EPA proposal to increase the number of streams and wetlands that receive automatic protection under the Clean Water Act. Farmers have lashed out at the proposal, calling it a federal power grab and raising concerns that they would be required to obtain permits for everyday farming activities. Graves has said that "few regulations are more damaging" than the proposed rule. EPA has fought back against the criticism; EPA Administrator Gina McCarthy earlier this month went on a public relations trip to Missouri to promote the rule ([Greenwire](#), July 11).

EPA Faces Hurdles Replacing Perciasepe After Departure Announcement, Inside Washington Publishers, 07/27/14. Kopocis in particular has long been caught up in GOP opposition to a proposed rule defining what waters are jurisdictional under the Clean Water Act -- opposition that has only intensified since EPA and the Army Corps of Engineers formally proposed the draft rule April 21.

Opinion

Drunk with power, federal agencies are coming for our water, The Ely (NV) Times, 07/25/14. First, the Environmental Protection Agency rewrote the rules for the Clean Water Act in such a way that gives it authority over just about any stream, dry creek bed or backyard wading pool in the country, even though the law as originally written was meant to protect navigable interstate waterways from pollution.

Blogs/Social Media

20 Minnesota corn farmers attend Corn Congress, make Hill visits in DC, Minnesota CORnerstone Blog, 07/25/14. Coming from across the state, 20 grower-leaders from Minnesota's corn organizations

visited members of Congress, their key aides and other government officials to register their concern about the uncertainty created by current deliberations over changes to water quality regulations under consideration at the Environmental Protection Agency (EPA).

EPA Clean Water Act Webinar - July 16th, 2014 with Nancy Stoner - Presentation of EPA's proposed rules regarding Clean Water Act. Addresses many myths and rumors, such as expansion of US waters to include ditches, infringement upon private property rights of farmers and ranchers, transformation of existing exemptions and permits, economic development, etc. Gives background on applicable US Supreme court rulings and hashes out definition of 'US waters'. <https://www.youtube.com/watch?v=eoNcRhZLrOw>

Seriously, we're talking about clean drinking water...
<https://www.facebook.com/salon/posts/10152249986666519>

The EPA did not issue a fine or require clean up after a company spilled crude oil into a creek. Here's why: <http://propub.ca/1AbJeA7>
<https://www.facebook.com/propublica/posts/10152597246009445>



Huffington Post @HuffingtonPost · 23h

How frustration and inaction color EPA's efforts to enforce the **Clean Water Act** <http://huff.to/1AkW27m>



HuffPost Green @HuffPostGreen · 11h

How frustration and inaction color efforts to enforce the **Clean Water Act** <http://huff.to/1AltFWC>



Salon.com @Salon · 10h

Here are the scare tactics the right is using to prevent the EPA from enforcing clean water laws
<http://slnm.us/wWCJSVw>



NRDC Water @NRDCWater · Jul 25

BUSTED: Big Ag's Big Myths About the Clean Water Protection Rule - <http://bit.ly/WQ4jAD>.
[#DitchTheMyth](#) [#ProtectCleanWater](#)



Clean Water Action @cleanh2oaction · Jul 25

Want to rebut [#DitchTheRule](#) myths? Tell @EPA to [#ProtectCleanWater](#) here -
<http://www.ProtectCleanWater.com>



Clean Water Action @cleanh2oaction · Jul 26

[#ProtectCleanWater](#) - <http://www.protectcleanwater.com>! RT @EPAregion9: Learn the facts abt our clean water proposal! <http://www2.epa.gov/uswaters/ditch->



U.S. EPA Water @EPAwater · 2h

Streams & wetlands are economic drivers: fishing, hunting, farming, recreation, energy, & manufacturing.

[#ditchthemyth...](#)



U.S. EPA Water @EPWater · 7h

Listen to this support for our clean water proposal: <http://youtu.be/wCFmWfaDO9s>



U.S. EPA Water @EPWater · 1h

EPA & Army Corps are not asserting jurisdiction over floodplains. CWA doesn't regulate land.
[#ditchthemyth](#) <http://go.usa.gov/XdkQ>



U.S. EPA Water @EPWater · 14h

EPA & Army Corps are responding to calls from Congress and Supreme Court to clarify regulations.
[#ditchthemyth](#) <http://go.usa.gov/XdkQ>



U.S. EPA Water @EPWater · Jul 26

Our proposal to protect clean water wouldn't regulate land. CWA only regulates pollution & destruction of waters. [#ditchthemyth...](#)



U.S. EPA Water @EPWater · Jul 26

Regulations can be good for business: Look at clean water The Hill <http://ow.ly/zeyVJ>



U.S. EPA Water @EPWater · Jul 26

Under our proposal to protect clean water, water-filled areas on crop fields aren't jurisdictional.
[#ditchthemyth](#) <http://go.usa.gov/XdkQ>



U.S. EPA Water @EPWater · Jul 25

It's time to [#ditchthemyth](#) about our proposal to protect clean water. Read the facts at <http://go.usa.gov/XdkQ>



U.S. EPA Water @EPWater · Jul 25

Listen to this support for our clean water proposal: <http://youtu.be/NQkicZ9lZrl>



U.S. EPA Water @EPWater · Jul 25

Our proposal to protect clean water makes 56 conservation practices easier for farmers. [#ditchthemyth](#)
<http://go.usa.gov/XdkQ>



Peter Dykstra @pdykstra Jul 25

Nice read fm @propublica @NaveenaSivam on EPA's struggles w/ **Clean Water Act**.
[http://www.environmentalhealthnews.org/t/4787462806986580842 ...](http://www.environmentalhealthnews.org/t/4787462806986580842...)



Ocean Champions @OceanChampions 8h

Government hitting speed bumps in enforcing the **#CleanWaterAct** @HuffPostGreen
<http://huff.to/1AmMJUL>

Departing Perciasepe to be in congressional hot seat one last time

Amanda Peterka, E&E reporter

Published: Monday, July 28, 2014

U.S. EPA Deputy Administrator Bob Perciasepe may be in his final weeks at the agency, but the House is not letting him off easy.

The agency's No. 2 on Wednesday will be in the hot seat at the House Small Business Committee, facing tough questions over recent rulemakings by his agency. Perciasepe is the only witness scheduled to testify at the hearing.

"The EPA is putting the squeeze on small businesses and middle class Missourians," Small Business Chairman Sam Graves (R-Mo.) said in a recent open letter. "Higher costs, longer delays, tighter budgets and bigger headaches are on the way unless the EPA is not stopped."

Perciasepe, who has been the agency's longest-serving deputy administrator, will take the helm of the Center for Climate and Energy Solutions on Aug. 11, succeeding Eileen Claussen. EPA announced his departure less than two weeks ago ([Greenwire](#), July 17).

As EPA's second in command, Perciasepe has often borne criticism from lawmakers upset about agency regulations, and Wednesday promises to be no different. According to the Small Business Committee, the purpose of the hearing is to examine EPA's compliance with the Regulatory Flexibility Act, a law that requires federal agencies to assess the economic impacts of regulations on small businesses.

Questioning from lawmakers is likely to focus on a recent EPA proposal to increase the number of streams and wetlands that receive automatic protection under the Clean Water Act. Farmers have lashed out at the proposal, calling it a federal power grab and raising concerns that they would be required to obtain permits for everyday farming activities.

Graves has said that "few regulations are more damaging" than the proposed rule.

EPA has fought back against the criticism; EPA Administrator Gina McCarthy earlier this month went on a public relations trip to Missouri to promote the rule ([Greenwire](#), July 11).

Perciasepe also recently attempted to assuage farmers' fears in a speech in front of the National Corn Growers Association ([E&ENews PM](#), July 17).

"If you didn't need a permit before, you won't need one now; I can't stress that enough," said Perciasepe, who will likely carry a similar message to the House Small Business Committee.

Perciasepe is also likely to field questions about the administration's long-awaited proposal to cap carbon dioxide emissions from existing power plants.

Graves may use the hearing to drum up support for [H.R. 5034](#), a bill he introduced earlier this month to halt all proposed EPA regulations until the agency completes a review of all existing regulations.

Under the proposed legislation, all new regulations that have an annual effect on the economy of \$50 million or more would require congressional approval ([Greenwire](#), July 10).

Schedule: The hearing is Wednesday, July 30, at 1 p.m. in 2360 Rayburn.

Witness: EPA Deputy Administrator Bob Perciasepe.